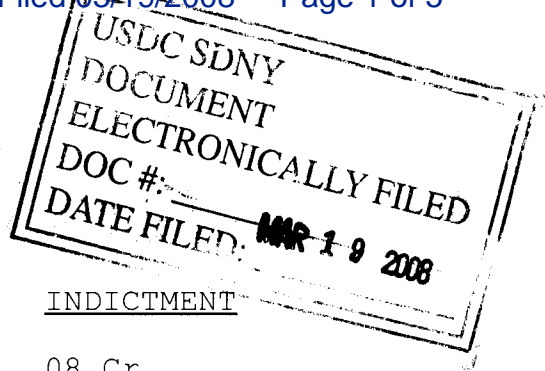


JUDGE SULLIVAN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

: INDICTMENT

-v.-

: 08 Cr.

BRANDON GRAY,

Defendant.

08 CRIM 249

COUNT ONE

The Grand Jury charges:

1. From in or about December 2007, up to and including on or about January 4, 2008, in the Southern District of New York and elsewhere, BRANDON GRAY, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly, did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that BRANDON GRAY, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B).

OVERT ACT

3. In furtherance of the conspiracy and to effect the

illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about December 19, 2007, BRANDON GRAY, the defendant, sold crack to an undercover police officer in the Bronx, New York.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about December 19, 2007, in the Southern District of New York, BRANDON GRAY, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C) & Title 18, United States Code, Section 2.)

COUNT THREE

The Grand Jury further charges:

5. On or about January 2, 2008, in the Southern District of New York, BRANDON GRAY, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a

form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C) & Title 18, United States Code, Section 2.)

COUNT FOUR

The Grand Jury further charges:

6. On or about January 4, 2008, in the Southern District of New York, BRANDON GRAY, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack."

(Title 21, United States Code, Sections 812, 841(a)(1), 841(b)(1)(C) & Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

7. As a result of committing the controlled substance offenses alleged in Counts One through Four of this Indictment, BRANDON GRAY, the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds he obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One through Four of this Indictment.

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846, and 853.)


Foreperson


MICHAEL J. GARCIA *DJR*
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

BRANDON GRAY,

Defendant.


INDICTMENT

08 Cr.

(21 U.S.C. §§ 812, 841(a)(1), 841(b)(1)(B),
841(b)(1)(C), and 846; 18 U.S.C. § 2)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

3/19/08
v.
Indictment Case assigned to Judge Sullivan.
Pitman
U.S.M.S.